

Article - Local Government

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§21-638.

(a) Montgomery County, Prince George's County, the City of Bowie, the City of Takoma Park, and any person or municipality may not adopt a stormwater management plan, system, or design in these jurisdictions, including a capital improvement program for stormwater management, unless:

(1) the stormwater management plan or design is in accordance with the 6-year capital improvement program of the jurisdiction responsible for stormwater management in the affected area and is approved by that jurisdiction; or

(2) the plan, system, or design is intended to protect an individual's home and has no adverse impact on other properties or stormwater management systems.

(b) (1) (i) If Montgomery County, Prince George's County, the City of Bowie, or the City of Takoma Park prepares a stormwater management plan, system, or design, or if a stormwater management plan, system, or design has been submitted to Montgomery County, Prince George's County, the City of Bowie, or the City of Takoma Park, the city or county shall submit a copy of the plan, system, or design to the Commission.

(ii) After the submission, the Commission shall have a specified, reasonable time to review and comment on the plan, system, or design to the city or county to indicate any conflict in the plan, system, or design with the existing or planned water supply or sanitary sewer systems of the Commission.

(iii) The stormwater management system or design approved by Montgomery County, Prince George's County, the City of Bowie, or the City of Takoma Park shall be consistent with the Commission's comments.

(2) (i) When the Commission receives a copy of a plan from the City of Bowie, the Commission promptly shall provide a copy to the County Council and County Executive of Prince George's County for review and comment.

(ii) When the Commission receives a copy of a plan from the City of Takoma Park, the Commission promptly shall provide a copy to the County Council and County Executive of Montgomery County for review and comment.

(3) When Prince George's County receives a plan that provides for drainage into a storm drain or stormwater management facility of the City of Bowie or onto any easement of the City of Bowie, the county promptly shall provide a copy of the plan to the City of Bowie for review and comment.

(c) (1) If the Commission or Prince George's County, after reviewing a plan submitted by the City of Bowie, advises the city that the Commission or county finds that construction in accordance with the plan will cause stormwater runoff problems in the maintenance of existing facilities or construction and maintenance of planned facilities, the city may not authorize construction to begin until the matter is resolved.

(2) If the Commission or Montgomery County, after reviewing a plan submitted by the City of Takoma Park, advises the city that the Commission or county finds that construction in accordance with the plan will cause stormwater runoff problems in the maintenance of existing facilities or construction and maintenance of planned facilities, the city may not authorize construction to begin until the matter is resolved.

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